Remarks

Applicant respectfully traverses all of the claim rejections (claims 1-11). The rejections must be removed because the '805 reference, upon which all rejections are based, does not disclose the limitations as asserted in the Office Action. In addition, the proposed combination of the '289 reference with the '805 reference is unmotivated. The following addresses these issues in greater detail with the understanding that, unless expressly indicated, Applicant does not acquiesce (implicitly or otherwise) to any of the rejections or averments presented in the non-final Office Action dated March 24, 2008.

This Office Action indicated that claims 1 and 3-11 stand rejected under 35 U.S.C. § 103(a) over Belschner (US Patent No. 7,103,805) in view of Riley (US Patent No. 5,706,289); and claim 2 stands rejected under 35 U.S.C. § 103(a) over the '805 reference in view of the '289 reference, and further in view of Baek (US Patent No. 5,680,554).

All claim rejections are improper because the primary '805 reference fails to disclose multiple claim limitations including those (relevant to each of the independent claims) directed to separate independently-generated release signals, to generating the time signals using an accessed time schedule, and to blocking network access when the signals do not coincide. The Office Action appears to be asserting that the "trigger signals" at column 6: 51 of the '805 reference are the claimed release signals. However, the Office Action has not asserted, and the cited portions of the '805 reference do not teach, limitations directed to a communication unit and bus monitor that generate release signals by accessing and implementing a time schedule, and that access to a network node is blocked when the release signals do not coincide. The cited "trigger signals" are cyclic signals that are generated by a single communications controller 22 (*see* column 6:53-59 and FIG. 2), and which appear to simply be used to trigger the start of a new time slot. Any related blocking occurs in response to the failure of a trigger signal (*see* column7:1-3). In addition, none of the cited portions of the '805 reference discuss any evaluation or comparison of the trigger signals, or any network access blocking in response thereto.

Applicant further traverses the Section 103 rejections because the Office Action has failed to cite teaching or suggestion of all of the limitations in the dependent claims, some of which are addressed in the following. Regarding claim 3, the cited "element" 445 and 446 in the '289 reference does not appear to show any inverse coding as each "element" appears

respectively to refer to a node at which an output 451 of a flip-flop 450 and a clock signal are provided (*see, e.g.*, column 22:3-45). Generally, the rejection is vague and unclear as to what is being asserted as teaching or suggesting inversely-coded signals and, specifically, inversely-coded trigger signals as modified in the '805 reference; the cited portions of the '289 reference appear unrelated to the '805 reference and the Office Action's asserted teachings. Regarding claims 4 and 5, the Office Action's citation to a low-pass filter for improving the fidelity of a protection time slot logic fails to disclose limitations directed to an evaluation of release signals under the influence of a low-pass filter. Regarding claims 6 and 7, the Office Action's citation to an interface to a communications computer does not disclose claim limitations directed to error-state detection that is "resettable from the outside" (claim 6) or "signaled to the outside (claim 7).

In view of the above, the Section 103 rejections have failed to cite teaching or suggestion of multiple claim limitations in the independent claims, as well as various limitations in the dependent claims. As all of the claim rejections rely upon these misapplied teachings, all of the Section 103 rejections are improper and should be removed.

Applicant further traverses the rejections of all claims because there is no proper motivation for combining the references as asserted. Regarding the rejection of the independent claims (and as further discussed below), no motivation has been cited for any modification of the '805 reference. The rejection as recited under heading 3 at pages 2 and 3 of the Office Action makes no mention whatsoever of the secondary '289 reference and its combination with the '805 reference. Therefore, there is no motivation for the Section 103 rejections of the independent claims and, accordingly, there is no motivation for the rejections of the dependent claims because these rejections rely upon the improper combination of references discussed above. Moreover, the alleged motivation for combining references to arrive at the dependent claim limitations is also improper, with certain dependent claim rejections addressed further below.

Regarding the rejection of dependent claim 3, the asserted motivation for inversely coding the cited trigger signals fails to explain how the trigger signals in the '805 reference could be inversely coded and/or could function as such. The alleged rationale for modifying the '805 reference to arrive at the limitations in claim 3 relies upon an unsupported supposition that one of skill in the art would be motivated "if the design so dictated" or "per

a specific set of physical instructions." This alleged rationale fails to provide any evidence in support of the supposed "design" or "physical instructions" (which do not exist). Moreover, it is unclear as to how the '805 reference could use coded trigger signals, much less inversely-coded trigger signals (*e.g.*, it is unclear as to how such signals could be coded or decoded, or accordingly used as a trigger), and the Office Action has provided no rationale regarding the same. Regarding the rejection of dependent claims 4-5, Applicant submits that the asserted motivation, to mitigate "noise or channel transients," is unrelated to the proposed modification and to the claim limitations to which the rejection is directed.

Applicant further traverses the rejections of all claims because the Section103 rejection of each of the independent claims (1 and 11) is unclear and confusing, and is thus improper under relevant law and the M.P.E.P. (*see, e.g.*, 35 U.S.C.§132). Namely, the Section103 rejection of each of the independent claims (1 and 11) has failed to state any combination of references or any rationale for combining references. The Section 103 rejection of independent claims 1 and 11, discussed at pages 2 and 3 of the Office Action, relies upon a combination of the '289 reference with the '805 reference. However, the rejection is silent as to which (if any) cited teachings are drawn from the '289 reference, and is further silent as to any motivation for combining the references as asserted. In this context, the Office Action has failed to apprise the Applicant of the nature of the rejection as required. Applicant therefore submits that the Section 103 rejection is improper and must be removed.

The claims have been amended to correct informalities, to remove exemplary foreign-type reference numerals and to improve readability; these amendments have not been made in view of any prior art, any rejection or any objection. New claim 12 and claims 13-16 that depend therefrom should be allowable for reasons stated above, and because the cited references fail to disclose, teach or suggest limitations including controlling access to a communications medium using release signals that are independently-generated from a time schedule specifying times at which network devices can exclusively communicate on the communications medium. Support for these new claims may be found, for example, in figures 1 and 2 and in the specification at paragraphs 0033-0040.

In view of the remarks above, Applicant believes that each of the rejections/objections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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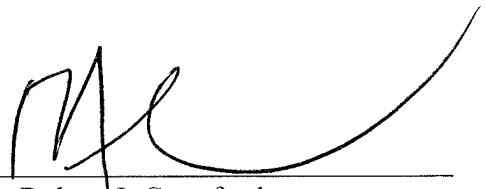
By: 
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